INFORMATION SHEET

DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON-NAVIGABLE, INTRA-STATE WATERS RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK COUNTY V. U.S. ARMY CORPS OF ENGINEERS

Saint Paul District

DISTRICT OFFICE:

FILE NUMBER: 2004-1601	139										
REGULATORY PROJECT MANAGER: Denise Blackwell-Kraft									Date:		
PROJECT REVIEW/DETERMINATION COMPLETED:				In the office (Y/N)				Yes	Date:	8 Nov 2004	
	At				at the project site (Y/N)				Date:		
PROJECT LOCATION IN	FORMATI	ION:									
State:				Wisconsin							
County:				Polk							
Center coordinates of si	ite by latitu	ide & longitude	e coordinate	es: Lat/Lor	ng 45.:	52266693115	2344, -92.52	75650024414	06		
Approximate size of site/property (including uplands) in acres 2.5 acres											
Name or waterway of watershed:				None - isolated				1	ı	1	
Type of Aquatic Resource ¹ :	0-1 ac	1-3 ac	3-5 ac	5-10 a	ac	10-25 ac	25-50 ac	> 50 ac	Linear F	Unknown	
Lake											
River											
Stream											
Mudflat											
Sandflat											
Wetlands		X									
Slough											
Prairie Pothole											
Wet Meadow											
Playa Lake											
Vernal Pool											
Natural Pond											
Other Water (identify type)											
¹ Check appropriate boxes that aquatic resource area.	best descr	ribe type of iso	lated, non-	navigable, i	intra-s	tate water pro	esent and bes	t estimate for	size of non-j	urisdictional	
Migratory Bird Rule Factors ¹			If Known		If Unknown Use Best Professional						
			Yes	No		Predicted Not Ex		Expected Occur		Not Able to Make Determination	
Is or would be used as habitat for birds protected by										Х	
Migratory Bird Treaties?		-									
Is or would be used as habitat by other migratory					X						
birds that cross state lines?											
Is or would be used as habitat for endangered								X			
species?				+ +							
Is used to irrigate crops sold in interstate commerce? x Check appropriate boxes that best describe potential for applicability of the Migratory Bird Rule to apply to onsite, non-jurisdictional, isolated, non-jurisdictional, non-juris									X isolated non		
check appropriate boxes that	best descr	noe potential IC	л аррисаві	my or me	iviigra	iory bira Kul	e to appry to	onsue, non-ju	n isuiciional,	isoiaicu, iioii-	

TYPE OF DETERMINATION: Preliminary Or X Approved

navigable, intra-state aquatic resource area.

ADDITIONAL INFORMATION SUPPORTING NJD (e.g., paragraph 1 site conditions; paragraphs 2-3 rationale used to determine NJD, including information reviewed to assess potential navigation or interstate commerce connections; and paragraph 4 site information on waters of the U.S. occurring onsite):

The project site is a wetland area that floods in the spring and sometimes during the summer. The proposal is to create an open-water pond that is more permanent in nature. A review of the USGS topographic map indicates that the wetland is a depressional wetland; the soil survey shows the area to have hydric soil surrounded by upland soils; the area is not mapped on the Wisconsin Wetlands Inventory map. The project site is immediately east of STH 35. The topographic map shows additional wetland area west of STH 35, there may or may not be a culvert connection under the roadway. Regardless, the entire complex is depressional with no inlet or outlet connection to any surface water tributary water system.